

REMARKS

This is a response to the Office Action dated June 24, 2005.

Summary of Office Action

In the Office Action, the Examiner withdrew the election requirement mailed May 13, 2005. Accordingly, Claims 1-11 are pending in the instant application.

The Examiner objected to the disclosure and the abstract due to various informalities. The Examiner also objected to the drawings as failing to comply with 37 C.F.R. 1.84(p)(4) because reference character 32 has been used to designate both a receiver pad and staggered blades.

Claims 7-11 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claims 1-5 of co-pending application Serial No. 10/779,901. Claims 1-6 were provisionally rejected under the judicially created Doctrine of Obviousness-Type Double Patenting as being unpatentable over Claims 1-5 of co-pending application Serial No. 10/779,901.

Claims 1-5 were rejected under 35 U.S.C. § 102(a) as being anticipated by McKague, Jr. et al. (U.S. Patent No. 6,553,734; hereinafter '734 Patent). Claims 6-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McKague, Jr. et al (U.S. Patent No. 6,553,734 in view of McKague, Jr. et al (U.S. Patent No. 6,520,706).

Response to Office Action

Specification and Drawings

By this Amendment, Applicant has incorporated the suggestions provided by the Examiner in amending the Abstract and the disclosure of the above-identified application. Accordingly, the Examiner's objections to the Abstract and the disclosure are overcome by this Amendment.

Furthermore, Applicant has amended the specification such that referenced character 32 does not designate both a receiver pad and staggered blades. In particular, instead of amending the drawing, Applicant has amended the specification at page 6, lns. 25-26 such

that reference character 33 refers to staggered blades and reference character 34 refers to a width of the staggered blade. Accordingly, Applicant respectfully submits that the Examiner's objections to the drawings have been overcome.

Double Patenting

Applicant submits concurrently herewith a Terminal Disclaimer for co-pending application Serial No. 10/779,901, as Exhibit A. Accordingly, the provisional rejection of Claims 1-6 under the judicially created Doctrine of Obviousness-Type Double Patenting has been overcome.

Claim Rejections - 35 U.S.C. § 102

Claim 1 was rejected under 35 U.S.C. § 102(a) as being anticipated by the '734 patent. In response, Applicant has amended Claim 1 to further recite a folding step and an unfolding step. In particular, in the folding step, a first portion is folded onto a second portion. After the first portion is stretched, the first portion is unfolded off of the second portion, and the first portion is formed into a curve without crumples. Applicant respectfully submits that the '734 patent does not disclose the folding and unfolding steps.

In support thereof, Applicant respectfully directs the Examiner's attention to column 3, lines 31-35 of the '734 patent. Such referenced section of the '734 patent indicates that the preform is formed by the contours of the tool. As understood, once the preform is formed by the tool, it is not unfolded. Rather, the preform is ready to use out of the tool. Hence, the '734 patent does not disclose the steps of folding and unfolding as recited in amended Claim 1.

Moreover, there is no motivation to unfold the preform of the '734 patent. In support thereof, Applicant respectfully directs the Examiner's attention to column 3, lines 56-58 of the '734 patent. Such referenced section recites that the curvatures of the preform imparts additional stiffness due to the out of plane geometry. If the curves of the preform of the '734 patent were unfolded (i.e., flattened), then there would be no out of plane geometry and no corresponding additional stiffness. This may make the preform of the '734 patent unsatisfactory for its intended purpose. Accordingly, even if a separate reference did

disclose the unfolding step, there is no motivation to combine the unfolding step with the teachings of the '734 patent. Hence, Claim 1 is believed to be in condition for allowance. Claims 2, 3, 5 and 6 are also believed to be in condition for allowance for claiming additional patentable subject matter and for being dependent upon an allowable base Claim 1.

Claim Rejections - 35 U.S.C. § 103

By this Amendment, Applicant respectfully requests that Claims 6-11 be cancelled without prejudice.

New Claims 14-19

By this Amendment, Applicant respectfully requests that new Claims 14-19 be entered into the prosecution of the above-identified patent application. Applicant respectfully submits that new Claim 14 is novel and non obvious in view of the cited prior art. New Claim 14 recites a stretching step and a shaping step wherein the preform is stretched with mating dies then the curved portion is shaped without crumples. Applicant respectfully submits that Claim 14 and Claims 15-19 are in condition for allowance for containing patentable subject matter. Claims 15-19 are also believed to be in condition for allowance for being dependent upon an allowable base Claim 14.

Cited Prior Art

Applicant acknowledges receipt of the prior art made of record and not relied upon, but considered by the Examiner to be pertinent to Applicant's disclosure. Applicant respectfully submits that the cited prior art, either alone or in combination, does not anticipate, suggest, or make obvious the instantly claimed invention.

Conclusion

For the foregoing reasons, Applicant respectfully submits that all of the stated grounds of rejection have been overcome, and that Claims 1-3, 5, 6, and 12-20 are in condition for allowance. An early Notice of Allowance is therefore respectfully requested.

Application No.: 10/849,683
Response to Office Action of 06/24/2005
Attorney Docket: NORTH-601B

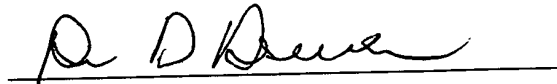
Should the Examiner have any suggestions for expediting allowance of the application, the Examiner is invited to contact the Applicant's representative at the telephone number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: August 12, 2005

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